

NEWS RELEASE



OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA San Diego, California

***United States Attorney
Carol C. Lam***

For Further Information, Contact:

Assistant United States Attorneys Stephen M. Tokarz (619) 557-7848 or Andrew G. Schopler (619) 557-5836

For Immediate Release

NEWS RELEASE SUMMARY - February 21, 2006

United States Attorney Carol C. Lam announced that Orvill Alamilla-Marvan was sentenced today in U.S. District Court in San Diego by the Honorable Marilyn L. Huff to serve 109 months in custody, followed by three years of supervised release, based on his conviction on September 9, 2005, of Being a Deported Alien Found in the United States and Engaging in High Speed Flight from an Immigration Checkpoint. Alamilla-Marvan also must pay restitution to the victim in the amount of \$7,000 and a \$200 special assessment.

According to Assistant U.S. Attorneys Stephen M. Tokarz and Andrew G. Schopler, who prosecuted the case, the charges of which Alamilla-Marvan was found guilty arose from events that occurred on March 9, 2005. On that date, Alamilla-Marvan approached the westbound Interstate 8 immigration checkpoint in Pine Valley, California, driving a Dodge Durango sport utility vehicle. Before federal agents could complete an immigration inspection, Alamilla-Marvan accelerated away from the checkpoint at high speed. United States Border Patrol agents pursued the vehicle driven by Alamilla-Marvan westbound on

Interstate 8, and activated emergency lights and sirens in an attempt to stop the vehicle. Alamilla-Marvan continued driving at a high rate of speed, reaching speeds of approximately 95 miles per hour during the pursuit. After Alamilla-Marvan rammed one of the Border Patrol vehicles several times and passed several civilian vehicles on the dirt shoulder of the freeway, Border Patrol agents discontinued the pursuit in the interest of public safety.

While attempting to pass a semi-truck by driving in the emergency lane, Alamilla-Marvan's vehicle collided with a disabled civilian vehicle parked on the right shoulder of the freeway. Alamilla-Marvan then ran from his vehicle but was apprehended shortly thereafter with assistance from local residents. Paramedics transported the injured driver, a school teacher on her way to work, to a hospital where she was treated for severe whiplash injuries to her neck, shoulders, and back.

According to testimony presented at trial, Alamilla-Marvan had been previously deported from the United States to Mexico following an aggravated felony conviction. Alamilla-Marvan admitted to Border Patrol agents that he was an illegal alien with no documents to be in the United States legally and that he worked for an alien smuggling organization. Alamilla-Marvan also admitted to agents that he had been looking for illegal aliens to smuggle to Los Angeles, California, before he arrived at the immigration checkpoint.

In imposing the sentence, Judge Huff noted the egregious nature of the defendant's conduct.

United States Attorney Lam stated, "A smuggler who decides to flee from Border Patrol agents makes things worse for everyone, including -- as this lengthy sentence shows -- himself."

DEFENDANT

Criminal Case Number: 05CR0497-H

Orvill Alamilla-Marvan

SUMMARY OF CHARGES

Title 8, United States Code, Section 1326 – Deported Alien Found in the United States.
Maximum penalty: 20 years in custody; fine of \$250,000; three years of supervised release.

Title 18, United States Code, Section 758 – High Speed Flight From Immigration Checkpoint.

Maximum penalty: 5 years in custody; fine of \$250,000; three years of supervised release.

AGENCIES

U.S. Border Patrol

U.S. Immigration and Customs Enforcement

California Highway Patrol